

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

Supplemental
Consent

57

August 3, 2004

Revised

FROM: NORMAN A. KANOLD, Assistant County Administrator
PETER HILLS, Fire Chief/Fire Warden, SBCo. Consolidated Fire District
THOMAS L. SUTTON, Interim Director, Special Districts Department

**SUBJECT: RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL STATE OF
EMERGENCY RELATIVE TO AN ACUTE WATER SHORTAGE IN THE
COMMUNITY OF PHELAN IN SHEEP CREEK WATER CO.**

RECOMMENDATION:

1. Adopt resolution proclaiming the existence of a local emergency resulting from an acute water shortage in the Community of Phelan.
2. Provide reimbursable emergency relief to the Sheep Creek Water Company (SCWC) in the form of a water supply source from County Service Area 70, Improvement Zone L, Pinon Hills (CSA 70 Zone L) via a water system intertie for domestic use and fire fighting purposes in the Community of Phelan, subject to reimbursement from the SCWC.

BACKGROUND INFORMATION: There currently exists an acute water shortage due to a water production shortage in the Community of Phelan to such an extent that there is a threat of no water in certain portions of the water supply system. The water purveyor is SCWC, which supplies approximately 1,062 connections. SCWC is an individual nonprofit share-holder water company and entirely responsible for providing domestic quality water in such quantities as to meet domestic and fire flow requirements.

In the event of an emergency, there would not be adequate water for domestic use or to fight a fire. Furthermore, without an adequate domestic water supply, increased risks exist of harm to the public health and of greater disease transmission.

Due to unknown changes in the aquifer and drought conditions, the well production level dropped to 630 gallons per-minute and continues to decline. The SCWC has taken action to alleviate the situation but emergency conditions still exist. SCWC was authorized to use the intertie connection to transfer 50 gpm from CSA 70 Zone L on July 29, 2004, due to the immediacy and severity of the SCWC water shortage. In the event the upper zones of CSA 70 Zone L experience any impacts as a result of the 50 gpm soft intertie connection, SCWC will be given notice and required to contract or rent trucks to haul water from the north end of CSA 70 Zone L, in a manner consistent with that of the relief extended to the Southern California Water Company with respect to the Wrightwood water emergency. The water transfer will continue until the water situation has stabilized and water production can meet consumer demands. SCWC is in contact with the State Department of Health Services to bring on line a new water well.

Record of Action of the Board of Supervisors

Supplemental
Consent

57

Revised

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL STATE OF EMERGENCY RELATIVE
TO WATER OUTAGE IN THE COMMUNITY OF PHELAN IN SHEEP CREEK WATER CO. AND
REQUESTING THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY
AUGUST 3, 2004
Page 2 of 2**

Supplemental
Consent

57

Revised

SCWC has provided information to the public, advising citizens of the water shortage in the community through newspaper articles, highway signage, and individual notice to shareholders.

Approval of Recommendation Number 1 will adopt a resolution proclaiming a local emergency for the Phelan acute water shortage. County Code Section 21.0104 provides that when the Board of Supervisors is in session, and upon recommendation of the Chairman acting as the Director of Emergency Services, the Board may proclaim by resolution, a local emergency.

Approval of Recommendation Number 2 will allow CSA 70 Zone L to provide water during this emergency condition, to SCWC and be reimbursed by SCWC for all related costs to the water transfer.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by County Counsel (L. Thomas Krahelski, Deputy County Counsel, 387-5436) on July 30, 2004, and the County Administrative Office, (Wayne Thies, Administrative Analyst, 387-5409) on July 30, 2004.

FINANCIAL IMPACT: SCWC will reimburse CSA 70 L for all costs related to the water transfer at rates and charges set by the District including water delivered, administration, and Mojave River Adjudication fees. County Service Area 38 (San Bernardino County Fire, Phelan) will be working with SCWC regarding additional staffing for Water Tender response to fires. **County Fire will also station a water tender in the SCWC area at the expense of SCWC.** Costs to mitigate this emergency will be billed to SCWC.

SUPERVISORIAL DISTRICTS: First

PRESENTERS: Peter R. Hills, Fire Chief/Fire Warden
Thomas L. Sutton, Interim Director, Special Districts

Supplemental
Consent

57